

REMARKS

Claims 2, 30, 32, 60, 62 and 90 have been canceled by a prior amendment without prejudice or disclaimer of the subject matter thereof.

Claims 1, 3 - 5, 8 - 9, 13 - 19, 22, 24, 26, 31, 33 - 59, 61, 63 - 65, 68 - 69, 71, 73 - 79, 82 - 84, 86 and 91 - 99 have been amended.

Claims 1, 3 - 29, 31, 33 - 59, 61, 63 - 89 and 91 - 99 are present and pending in the subject application.

In the Office Action dated February 7, 2007, the Examiner has rejected claims 1, 31 and 61 under 35 U.S.C. §112, first paragraph, and has rejected claims 1, 3 - 29, 31, 33 - 59, 61, 63 - 89 and 91 - 99 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

The Examiner has rejected claims 1, 31 and 61 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner takes the position that the claim limitation of, in response to selection by a user of one or more of the objects and assignment by the user of the selected objects to corresponding ones of the at least one hierarchical tier and the at least one subordinate tier, creating a custom content object including a hierarchical compilation of the content represented by each selected object in accordance with the assignment of the selected objects by the user, was not described in the specification. The Examiner further indicates that the content object recited in the claim preamble and the custom content object recited in the claim body are two different entities, and that the specification fails to disclose creation of the custom content object.

This rejection is respectfully traversed. However, in order to expedite prosecution of the subject application, independent claims 1, 31 and 61 have been amended and recite the features of specification by the user of a location for the selected objects within the hierarchical structure including at least one hierarchical tier and at least one subordinate tier, and creating the content object. These features are supported throughout the specification. For example, Fig. 12 illustrates an entry screen for adding content to the content object with a field requesting a location to add the selected content (e.g., "Add Checked Items to:" field). Further, the description of the ECBOAddContent procedure within the specification indicates that content is added after the chapter location reference. Accordingly, the claimed features are clearly supported by the specification and claims 1, 31 and 61 are considered to comply with 35 U.S.C. §112, first paragraph.

The Examiner has rejected claims 1, 6 - 8, 11 - 23, 25 - 28, 30 - 31, 36 - 38, 41 - 53, 55 - 58, 61, 66 - 68, 71 - 83, 85 - 88, 91, 94 and 97 under 35 U.S.C. §103(a) as being unpatentable over The McGraw-Hill companies publication in view of U.S. Patent No. 6,886,036 (Santamaki et al.).

Briefly, the present invention is directed toward a system, method and data storage device for creating and storing a content object in a data repository as a group of hierarchically related content entities. Each content entity is contained in a separate file object. A list or outline containing container and non-container identifiers defines the content, order and structure of the content object. This list or outline is stored as a separate file object.

The Examiner takes the position with respect to independent claims 1, 31 and 61 that the McGraw-Hill publication discloses all the features within these claims, except for a library server for storing the information and attribute of the e-book. The Examiner further alleges that the Santamaki et al. patent discloses these features, and that it would have been obvious to combine the teachings of the McGraw-Hill publication and Santamaki et al. patent to attain the claimed invention.

This rejection is respectfully traversed. However, in order to expedite prosecution of the subject application, independent claims 1, 31 and 61 have been amended and recite the features of: each selectable object representing a subset of the collection of content and including a title, and enabling specification by the user of a title for at least one of the hierarchical tier and subordinate tier different than the title of a corresponding selected object. Dependent claims 3 - 5, 8 - 9, 13 - 19, 22, 24, 26, 33 - 59, 63 - 65, 68 - 69, 71, 73 - 79, 82 - 84, 86 and 91 - 99 have been amended for consistency with their amended parent claims.

The McGraw-Hill publication does not disclose, teach or suggest these features. Rather, the McGraw-Hill publication discloses a database containing a collection of modular, stand-alone text files that can be mixed, matched and arranged to create a new book for a particular course. A user may select various portions of existing books to add to the new book being created. The existing books are displayed in a table of contents type format and enable selection of portions for viewing and/or addition to the new book (e.g., as viewed in Slide 1 cited by the Examiner). A user may view the contents of the new book, where the new book contents are displayed with each selected portion indicated in the new book by their title from the book and/or

chapter from which they were selected (e.g., as viewed in Slide 2 cited by the Examiner). Thus, the McGraw-Hill publication discloses that the selected portions in the new book include the title from the book or chapter from which they were selected. There is no disclosure, teaching or suggestion of enabling a user to specify a different title for the new book portion (other than the title of the selected portion from the book or chapter from which that portion was selected) as recited in the claims.

The Santamaki et al. patent does not compensate for the deficiencies of the McGraw-Hill publication. Rather, the Santamaki et al. patent is directed toward an electronic book system for advancing distribution of reading materials and is merely utilized by the Examiner for an alleged teaching of centralized and e-book servers allegedly corresponding to the claimed library server.

Since the McGraw-Hill publication and Santamaki et al. patent do not disclose, teach or suggest, either alone or in combination, the features recited in independent claims 1, 31 and 61 as discussed above, these claims are considered to be in condition for allowance.

Claims 6 - 8, 11 - 23, 25 - 28, 36 - 38, 41 - 53, 55 - 58, 66 - 68, 71 - 83, 85 - 88, 91, 94 and 97 depend, either directly or indirectly, from independent claims 1, 31 or 61 and, therefore, include all the limitations of their parent claims. These claims are considered to be in condition for allowance for substantially the same reasons discussed above in relation to their parent claims and for further limitations recited in the claims.

The Examiner has rejected claims 3, 29, 33, 59, 63 and 89 under 35 U.S.C. §103(a) as being unpatentable over the combination of the McGraw-Hill publication and Santamaki et al. patent, and further in view of U.S. Patent No. 6,091,930 (Mortimer et al.). Further, the Examiner

has rejected claims 4 - 5, 34 - 35 and 64 - 65 under 35 U.S.C. §103(a) as being unpatentable over the combination of the McGraw-Hill publication and Santamaki et al. patent, and further in view of ksinclair.com. In addition, the Examiner has rejected claims 9 - 10, 24, 39 - 40, 54, 69 - 70, 84, 92 - 93, 95 - 96 and 98 - 99 under 35 U.S.C. §103(a) as being unpatentable over the combination of the McGraw-Hill publication and Santamaki et al. patent, and further in view of U.S. Patent No. 6,006,242 (Poole et al.).

These rejections are respectfully traversed. Initially, each of the pending claims within these rejections depends from claims 1, 31 or 61 and, therefore, includes all the limitations of their parent claims. As discussed above, the combination of the McGraw-Hill publication and Santamaki et al. patent does not disclose, teach or suggest the features recited in the independent claims of each selectable object representing a subset of the collection of content and including a title, and enabling specification by the user of a title for at least one of the hierarchical tier and subordinate tier different than the title of a corresponding selected object.

The art cited in these rejections does not compensate for the deficiencies of the combination of the McGraw-Hill publication and Santamaki et al. patent. Rather, the Mortimer et al. patent is directed toward a customizable interactive educational system and is merely utilized by the Examiner for an alleged teaching of a collection of content comprising an image album and a video. The ksinclair.com publication is directed toward a web site offering free downloading of e-books and is merely utilized by the Examiner for an alleged teaching of calculating a cost of an object. The Poole et al. patent is directed toward an apparatus for dynamically constructing electronic and printable documents and forms and is merely utilized

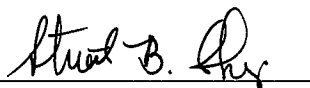
AMENDMENT
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by the Examiner for an alleged teaching of: defining a maximum amount of allowable content per volume of content; creating a plurality of volumes of content from the selected content based on the defined maximum; selectively moving an object between volumes; including associated prerequisite subsets; recording in a computer readable structure a reference to corresponding content entities; and defining the compilation in a custom content outline. Accordingly, the above pending claims are similarly considered to be in condition for allowance.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and Notice of Allowance is earnestly solicited.

Respectfully submitted,



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